



MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen
Chair

Kenita V. Barrow
Vice Chair

May 19, 2016

Waiver 16-05-008

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Sambila Zangre Congo is a School Community Health Nurse with the Public Health Services Division at the Department of Health and Human Services (DHHS). She requests a waiver of the prohibition of § 19A-12(b)(1)(B) so that she can be employed by Washington Adventist Hospital in the Cardiac Telemetry and Medical Surgery units as a Float Pool nurse.

DHHS contracts with Washington Adventist Hospital for community outreach in cancer and tobacco prevention, education and screening for certain identified types of cancer, and cancer care coordination. Ms. Zangre Congo's outside employment with Washington Adventist Hospital has no relationship to the contracts DHHS has with the hospital, and her employment with DHHS as a School Community Health Nurse does not involve the monitoring or negotiation of the Washington Adventist Hospital contracts with DHHS. The units in which Ms. Zangre Congo will work at Washington Adventist Hospital do not have any contracts with DHHS.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b). The waiver is conditioned on Ms. Zangre Congo recusing herself from providing services for Washington Adventist Hospital involving a person she knows to be a client of DHHS; furthermore, Ms. Zangre Congo may not, in her official capacity, refer DHHS clients to Washington Adventist Hospital.

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In reaching this decision, the Commission has relied upon the facts as presented by Ms. Zangre Congo.

For the Commission:



Steven Rosen, Chair